

IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE:)
)
BILLY JAMES MACE,) Case No. 08-06124
) Chapter 11
Debtor.) Honorable Judge George C. Paine, II

**MOTION TO APPROVE LOAN MODIFICATION AGREEMENTS WITH F & M
BANK**

Comes now Michael E. Collins, the Chapter 11 Trustee in the above-styled case, (the "Trustee"), by and through counsel, and moves the Court for entry of the Proposed Agreed Order (the "Order") submitted herewith. In support of this motion, the Trustee asserts and alleges as follows:

1. The Trustee was duly appointed Chapter 11 Trustee on July 21, 2008 and approved by Court Order entered July 23, 2008, and he continues to serve in that capacity.
2. As of the Petition Date, F & M Bank ("F & M") had issued loans ("Loans") to the Debtor that were secured by real properties in Clarksville, TN ("Properties").
3. F & M has requested that the Trustee enter into loan modification agreements so that the loans would maintain current status in its records. Pursuant to the loan modification agreements, entering into the loan modification agreements will be without prejudice to the rights of the Trustee and the rights of the creditors of the estate, and the loans are fully modifiable upon confirmation of a Plan of Reorganization. The loan modification agreements will not require the Trustee to make any additional payment to F & M, and the Loans as modified shall not receive administrative claim priority and shall be treated in all respects as pre-

petition debt. As such, the Trustee asserts that entering into the loan modification agreements is in the best interest of the estate.

WHEREFORE, the Trustee respectfully requests that the Court enter the attached Order allowing the terms set forth in the Order and that the Court grant such other relief as is necessary or appropriate.

Respectfully submitted,

MANIER & HEROD, A TENNESSEE
PROFESSIONAL CORPORATION

/s/ Neesha Shah Hetcher

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CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2010, a true and correct copy of the foregoing was served by ECF on the parties who are registered to receive electronic filings in this case and to parties on the attached mailing matrix via first class, U.S. mail, postage prepaid.

/s/ Neesha Shah Hetcher
Neesha Shah Hetcher